

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - -X

UNITED STATES OF AMERICA :

- v. - :

DIEGO LEON SANCHEZ-LOPEZ, :

a/k/a "Junior," and :

JORGE ELIECER LOPEZ-MARTINEZ, :

Defendants. :

- - - - -X

INDICTMENT FILED

FEB 19 2008

08 Cr.

08 CRIM 135

COUNT ONE

The Grand Jury charges:

1. From on or about September 23, 2007, through on or about September 25, 2007, in the Southern District of New York and elsewhere, DIEGO LEON SANCHEZ-LOPEZ, a/k/a "Junior," and JORGE ELIECER LOPEZ-MARTINEZ, the defendants, and others known and unknown, unlawfully, intentionally, and knowingly did combine, conspire, confederate, and agree together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that DIEGO LEON SANCHEZ-LOPEZ, a/k/a "Junior," and JORGE ELIECER LOPEZ-MARTINEZ, the defendants, and others known and unknown, would and did distribute, and possess with intent to distribute, a controlled substance, to wit, 100 grams and more of mixtures and substances containing a detectable amount of heroin, in violation of Title 21, United States Code, Sections 812, 841(a)(1), and 841(b)(1)(B).

Overt Acts

3. In furtherance of the conspiracy, and to effect the illegal object thereof, the following overt acts, among others, were committed in the Southern District of New York and elsewhere:

a. On or about September 24, 2007, DIEGO LEON SANCHEZ-LOPEZ, a/k/a "Junior," the defendant, met with an individual who is cooperating with the Government ("CW-1"), at a McDonald's restaurant in Manhattan, New York.

b. On or about September 25, 2007, JORGE ELIECER LOPEZ-MARTINEZ, the defendant, spoke on the telephone with SANCHEZ-LOPEZ, who was in Manhattan, New York, at the time of the call, to arrange a meeting for later in the day.

(Title 21, United States Code, Section 846.)

FORFEITURE ALLEGATION

4. As a result of committing the controlled substance offense alleged in Count One of this Indictment, DIEGO LEON SANCHEZ-LOPEZ, a/k/a "Junior," and JORGE ELIECER LOPEZ-MARTINEZ, the defendants, shall forfeit to the United States pursuant to 21 U.S.C. § 853, any and all property constituting or derived from any proceeds the said defendants obtained directly or indirectly as a result of the said violation and any and all property used or intended to be used in any manner or part to commit and to

facilitate the commission of the violation alleged in Count One of this Indictment.

Substitute Assets Provision

5. If any of the above-described forfeitable property, as a result of any act or omission of DIEGO LEON SANCHEZ-LOPEZ, a/k/a "Junior," and JORGE ELIECER LOPEZ-MARTINEZ, the defendants:

(a) cannot be located upon the exercise of due diligence;

(b) has been transferred or sold to, or deposited with, a third person;


(c) has been placed beyond the jurisdiction of the Court;


(d) has been substantially diminished in value;
or

(e) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), to seek forfeiture of any other property of said defendants up to the value of the above forfeitable property.

(Title 21, United States Code, Sections 841(a)(1) and 853.)


FOREPERSON


MICHAEL J. GARCIA
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

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- v. -

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Defendants.

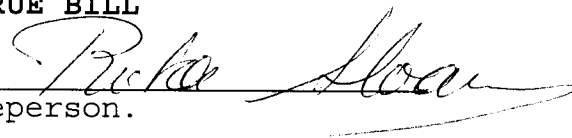
INDICTMENT

08 Cr.

(21 U.S.C. §§ 846, 841(a)(1), and
841(b)(1)(B))

MICHAEL J. GARCIA
United States Attorney.

A TRUE BILL


Foreperson.

*Indictment filed, case assigned to judge
Holliston*

J. Moore, USMJ